

## **SUZANNE M. McSORLEY**

(609) 987-6663

smcs@stevenslee.com

### **AREAS OF CONCENTRATION**

Construction Law and Litigation  
Mediation and Arbitration Neutral  
Attorney Ethics and Professional Responsibility

### **ADMITTED TO PRACTICE**

New York, 1980  
U.S. District Court for the Southern and Eastern Districts of New York, 1982  
New Jersey and U.S. District Court, District of New Jersey, 1983  
U.S. Court of Appeals for the Third Circuit, 1989  
Pennsylvania, 2012

### **EXPERIENCE**

**Stevens & Lee, P.C.**

Shareholder, 2004-2020

Of Counsel, 2021-present

Sue concentrates her practice in complex commercial litigation and dispute resolution, counseling clients in the pharmaceutical, manufacturing, construction, insurance and health care industries, with a particular emphasis on construction matters. In addition, she has extensive experience drafting and negotiating construction contracts and has served as a mediation neutral since 1997 and is an arbitrator on the American Arbitration Association's roster of commercial and construction arbitrators. Sue also has represented and counseled lawyers on ethics-related issues for more than 20 years.

She has represented owners (hospitals, pharmaceutical manufacturers, research universities, real estate developers and homeowners), contractors and suppliers in litigation and other dispute resolution proceedings and processes in every type of construction-related claim including construction defect claims, lien claims and delay and interference claims.

Sue also devotes a substantial part of her practice to representing parties, especially owners, in negotiating and drafting agreements of all types relating to construction projects. She is familiar with the Consensus DOCS and the form agreements published by the AIA and the EJCDC and has provided many clients (owners and contractors) with advice concerning modification of form agreements to satisfy the client's particular needs.

In addition, Sue has significant experience preparing project-specific agreements. She has assisted multiple owner clients (including pharmaceutical companies, health care providers and regional banks) in developing master agreements with preferred construction and design professionals for design, construction and design build services. She also has substantial experience negotiating and drafting project-specific manuscript agreements for the design and construction of many types of projects including pharmaceutical manufacturing facilities, hospitals, research laboratories, educational facilities and warehousing and distribution facilities, and for the procurement of equipment and manufactured modules of such facilities.

Sue has received certificates from the National Institute for Trial Advocacy and the Center for Mediation in

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Law and, since 1997, has served as a mediator on the roster of mediators for court-annexed mediation in New Jersey. She is also a charter member of the [National Academy of Distinguished Neutrals](#), an invitation-only professional association for mediators and arbitrators who are well established as trusted neutrals in the legal community. She was named 2005 “ADR Practitioner of the Year” by the New Jersey State Bar Association for her contributions to advance the cause of mediation and other forms of alternative dispute resolution in New Jersey. She served on the New Jersey Supreme Court’s Committee for Complementary Dispute Resolution from 2001-2012, and served in the Supreme Court’s Advisory Committee for Mediator Standards from 2006 to 2012.

Finally, Sue has represented and counseled attorneys in connection with legal ethics questions and proceedings. She has served on both the New Jersey Supreme Court Ethics Committee (District VII) and on the New Jersey Supreme Court Fee Arbitration Committee (District VII).

Sue started her career as a law clerk to the Honorable Warren W. Eginton of the U.S. District Court for the District of Connecticut.

### EDUCATION

Certificate, Center for Mediation in Law (New York), Intensive Mediation Training, 2000

Certificate, National Institute for Trial Advocacy, 1986

J.D., Columbia University School of Law, 1979 (Harlan Fiske Stone Scholar, 1976-1977, 1978-1979)

A.B., *cum laude*, Princeton University, Woodrow Wilson School of Public and International Affairs, 1979

### PROFESSIONAL EXPERIENCE

Stevens & Lee, A Pennsylvania Professional Corporation, Lawrenceville, NJ, Shareholder, 2004-2020; Of Counsel, 2021-present

Smith, Stratton, Wise, Heher & Brennan, Princeton, NJ, Partner, 1987-2004, Associate, 1983-1987

Milbank, Tweed, Hadley & McCloy, New York, NY, Associate, 1980-1983

Law Clerk to The Honorable Warren W. Eginton, U.S.D.J., District of Connecticut, 1979-1980

### PROFESSIONAL ACTIVITIES

Member, New Jersey Supreme Court Committee on Complementary Dispute Resolution, 2001-2012 (Co-Chair, Subcommittee on Mediator Education, 2008-2012)

Mediator, New Jersey Superior Court Civil Presumptive Mediation Program(s), 1995-Present

Member, Supreme Court Advisory Committee on Mediator Standards, 2006-2012

Member, Supreme Court Advisory Committee on Arbitration, 2002-2005

Member, District VII Ethics Committee of Supreme Court of New Jersey, 1991-1994

Member, District VII Fee Dispute Committee of Supreme Court of New Jersey, 1999-2003

Columbia Law School Alumni Association, 1979-Present

Columbia Law School Association of New Jersey, 1984-Present (Trustee and Treasurer, 1996-2002)

### PROFESSIONAL MEMBERSHIPS

American Arbitration Association, Commercial and Construction Arbitration Panel Member, 2015-present

National Association of Distinguished Neutrals, Charter New Jersey Panel member, 2013-present

American Bar Association, Forum Committee on the Construction Industry (Chair, Division 12 Steering Committee, 2017-present [member 2009-present]; Publications Committee, 2010-present) and Litigation and Dispute Resolution Sections, Member

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New Jersey State Bar Association, Dispute Resolution Section (Director, 2013-2017, 1997-2004, Immediate Past Chair, 2002-03; Chair, 2001- 02; Chair-Elect, 2000-01; Secretary 1998-2000), Construction Law Section and Litigation Section

Marie L. Garibaldi American Inn of Court for Alternate Dispute Resolution, 2001- present (Executive Committee, 2004-present, President, 2008-2010, Immediate Past President, 2011-2012)

New Jersey Association of Professional Mediators, 1999-present

Mercer County Bar Association, member 1984-present (Trustee, 1995-1998)

Mercer County Bar Foundation (President 2005-2006, Trustee, 1998-2006)

### PUBLICATIONS

“Alternate Dispute Resolution,” *Construction Defects, 2d Ed.*, (ABA Publishing, 2021)

*Construction Defects, 2d Ed.* Editor with Richard Tyler and Erin Krejci. (ABA Publishing, 2021, 350 pp.)

*More Sticks & Bricks*, Editor with Belinda Bacon and Levi Barrett (ABA Publishing, 2018, 350 pp.)

“Guarantees and Warranties and SOLs, Oh My!,” Paper presented at the Annual Meeting of the American Bar Association Forum on Construction Law, Boca Raton, FL, April 16-18, 2015

“Take Full Advantage of the Opportunity to Mediate: Prepare; Don’t Just Show Up.” *Under Construction, the Newsletter of the American Bar Association Forum on the Construction Industry*, Vol. 16, No. 2. September 2014.

*Construction Defects*. Editor with Roland Nikles, Stephen Reisman and Richard Tyler. (ABA Publishing, 2012, 350 pp.)

“A Practitioner’s Guide to Extra-Contractual Remedies for ‘Private’ Construction Projects.” New Jersey Institute for Continuing Legal Education, 2010 (30 pp.)

“Antitrust High Stakes: Companies That Don’t Have a Compliance Program Risk Paying the Price.” Co-author. General Counsel Mid-Atlantic, June 2005.

“Exemptions and Immunities and the Robinson-Patman Act.” Co-author. American Bar Association Section of Antitrust Law Robinson-Patman Act Newsletter, Spring 2005.

### SELECTED SPEAKING ENGAGEMENTS:

Basic Civil Mediation Training, Trainer, New Jersey Institute for Continuing Legal Education, Virtual (Zoom), January-February 2021; October 2021

Basic Civil Mediation Training, Trainer, New Jersey Institute for Continuing Legal Education, New Brunswick, NJ, Jun 10 and July 1, 2019

“Co-Mediating complex Commercial Cases,” Speaker, New Jersey Institute for Continuing Legal Education, Iselin, NJ, June 5, 2019

Basic Civil Mediation Training, Trainer, New Jersey Institute for Continuing Legal Education, New Brunswick, NJ, December 17, 2018

“Real Life IPD,” presented to Division 12 of the ABA Forum on Construction Law, February 14 and March 14, 2018

“Mediation Ethics,” presented at PLI’s Building the Best Construction Contracts 2016, December 16, 2016

“Guarantees, Warranties and SOLs, Oh My!,” Paper presented at the Annual Meeting of the American Bar Association Forum on Construction Law, Boca Raton, FL, April 16-18, 2015

“Resolving Construction Disputes – the New Alternatives,” Speaker, New Jersey Institute for Continuing Legal Education, New Brunswick, NJ, February 28, 2015

“Sticks & Bricks,” Program Co-Chair, American Bar Association Forum Committee on Construction Law, February 27, 2015

Basic Mediation Training for Bankruptcy Lawyers, Trainer, New Jersey Institute for Continuing Legal Education, New Brunswick, NJ, May 19, May 22 and June 2, 2014 (20 hours)

“Construction Law 201: Insights for the Government Lawyer,” Speaker, American Bar Association Government and Public Sector Lawyers’ Division webcast, April 16, 2013

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- “Construction Law for Government Attorneys and University Counsel,” Speaker, American Bar Association Forum on the Construction Industry 2012 Fall Meeting, Boston, MA, October 19, 2012
- “What to Do When the Project Stops,” Speaker, a webcast by the American Bar Association Forum on the Construction Industry, October 4, 2012
- “Court-Annexed Mediation in New Jersey,” Speaker, American Bar Association, Dispute Resolution Section Annual Meeting, Washington, DC, April 19, 2012.
- “Sticks & Bricks,” Site Coordinator, American Bar Association Forum Committee on the Construction Industry, November 11, 2011
- “Construction Law 101 for State and Local Government Attorneys,” Speaker, American Bar Association Forum on the Construction Industry, Telephone conference, October 6, 2011
- “Advanced Mediation Training: Construction Law for Mediators,” Instructor, New Jersey Institute for Continuing Legal Education, October 11, 2010
- “How to Select a Mediator,” Speaker, New Jersey Corporate Counsel Association, Annual Meeting, Whippany, New Jersey, September 24, 2010
- “A Practitioner’s Guide to Extra-Contractual Remedies for Private Construction Projects,” Speaker, New Jersey Institute for Continuing Legal Education, July 5, 2010
- “What to Do When the Work Stops: An Examination of the Change, Suspension and Termination Provisions of the A201-2007 in Connection with Project Slow-Down and De-Scoping,” Speaker, American Bar Association Forum on the Construction Industry, New Orleans, April 17, 2009
- “Basic Civil Mediation Training,” Instructor, New Jersey Institute for Continuing Legal Education, New Brunswick, NJ, December 2008, June 2008, November 2003, October 2003, December 2001
- “OK, EVERYONE JOIN HANDS: The Brave New World of Collaborative Documents and Tri-Party Agreements,” Panelist, American Bar Association Forum Committee on the Construction Industry, Chicago, IL, September 11, 2008
- “False Advertising Under the Lanham Act,” Speaker, Mercer County Bar Association, March 2005

### **HONORS AND AWARDS**

- 2021, Richard K. Jeydel Award conferred by the Justice Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution
- 2019, William J. Brennan Citation for Justice Award given by Legal Services of New Jersey (jointly awarded to Suzanne M. McSorley and Princeton Internships in Civic Service)
- 2007, NJSBA DRS, “Legend of ADR” Award
- 2005, NJSBA, ADR Practitioner of the Year Award
- 2000, Cherish the Children Award given by the Mercer County Commission on Abused, Neglected and Missing Children

### **COURT ADMISSIONS:**

- U.S. District Court for the District of New Jersey
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. Court of Appeals for the Third Circuit